

### Streamlined Environmental Process

The purpose of “Indiana’s Streamlined EIS Procedures” is to establish a coordinated planning and project development process for major transportation projects in Indiana.

These procedures are intended primarily to address projects for which the Federal Highway Administration (FHWA) is or may be required to prepare an Environmental Impact Statement (EIS) under the National Environmental Policy Act. These procedures contemplate that in some instances, FHWA will proceed directly to preparation of an EIS, but in other instances, the NEPA process will begin with the preparation of an Environmental Assessment (EA)/Corridor Study, which may transition to an EIS. These procedures supersede the Indiana NEPA/404 (Section 404 of the Clean Water Act) Agreement, dated May 1996.

These procedures will be used to:

- Allow documentation developed by FHWA, in compliance with the National Environmental Policy Act (NEPA), to serve as a substantial part of the documentation required by other permitting and funding agencies in accordance with applicable laws and regulations.
- Implement the environmental streamlining requirement in Section 1309 of the Transportation Equity Act of the 21<sup>st</sup> Century (TEA-21) to establish a coordinated environmental review process, with time limitations, concurrent reviews, and a dispute resolution process.
- Fulfill the major investment analysis requirements in 23 CFR 450.318 (Major Metropolitan Transportation Investments) and the "alternatives analyses" requirements in Section 3(i)(1)(A) of the Federal Transit Act where discretionary Section 3 "New Start" funding is being sought.
- Serve as the vehicle for accomplishing the project development coordination functions and public involvement functions called for under the "FHWA-IN Section 106 Procedures." Where disagreements arise that are specifically related to Section 106 issues, the Section 106 consultation meetings called for under the FHWA-IN Section 106 Procedures will provide a focused mechanism to resolve such disagreements between consulting parties.

Ultimately, this streamlined process is intended to achieve the timely and efficient identification, evaluation and resolution of environmental and regulatory issues. They establish "**one decision-making process**" to identify and address agency issues at three (3) key milestones as part of the planning/NEPA process for major transportation projects. By early identification of agency issues, when the greatest flexibility exists to address them, this process is intended to ensure that basic issues concerning project Purpose and Need (P&N) and the screening of alternatives can be resolved prior to approval of the Draft Environmental Impact Statement (DEIS). The DEIS can then focus on addressing outstanding public and agency concerns regarding avoidance, minimization, and mitigation. Basic P&N and preliminary alternatives screening issues are resolved prior to approval of the DEIS.

These procedures are intended to be flexible and adaptable. They may be revised from time to time by FHWA and INDOT to achieve further improvements in the planning and project development processes. In addition, FHWA and INDOT may adopt different procedures, in the context of a particular project, without modifying this document. Lastly, these procedures are intended only as a general guide; they are not intended to create any new binding legal requirements, nor are they intended to create enforceable legal rights or obligations on the part of FHWA, INDOT, MPOs, or any other party.

Additional procedures that govern the FHWA decision-making process for transportation projects in Indiana include: (1) Procedures for Categorical Exclusions and Environmental Assessments; (2) the FHWA-IN Section 106 Procedures; (3) INDOT Highway Traffic Noise Policy; and (4) the INDOT Public Involvement Procedures. All of these documents are available from the Indiana Division of FHWA.

For more information:

<http://www.fhwa.dot.gov/indiv/procedur.htm>